

Michael R. Johnson, Esq. (#7070)  
Jonathan A. Dibble, Esq. (#0881)  
**RAY QUINNEY & NEBEKER P.C.**  
36 South State Street, 14<sup>th</sup> Floor  
P.O. Box 45385  
Salt Lake City, Utah 84145-0385  
Telephone: (801) 532-1500  
Facsimile: (801) 532-7543  
E-mail: [mjohnson@rqn.com](mailto:mjohnson@rqn.com)  
E-mail: [jdibble@rqn.com](mailto:jdibble@rqn.com)

*Attorneys for Jacobsen National Group, Inc.*

---

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT UTAH, CENTRAL DIVISION**

---

In re:

**EASY STREET HOLDING, LLC, et al.,**

Debtors.

Address: 201 Heber Avenue  
Park City, UT 84060

Tax ID Numbers:

35-2183713 (Easy Street Holdings, LLC),  
20-4502979 (Easy Street Partners, LLC), and  
84-1685864 (Easy Street Mezzanine, LLC)

**Bankruptcy No. 09-29905 RKM**

(Jointly Administered with Cases 09-  
29907 and 09-29908)

Chapter 11

Honorable R. Kimball Mosier

---

**NOTICE OF RULE 30(b)(6) DEPOSITION OF EASY STREET PARTNERS, LLC  
REGARDING JOINT MOTION TO APPROVE AMENDMENTS TO STIPULATION  
AUTHORIZING USE OF CASH COLLATERAL**

---

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, made applicable in this contested matter pursuant to Rules 9014 and 7030 of the Federal Rules of Bankruptcy Procedure, Jacobsen National Group, Inc., dba Jacobsen Construction (“**Jacobsen**”), by and through its counsel of record, will take the deposition upon oral examination of Easy Street Partners, LLC (“**Easy Street**”), debtor and debtor-in-possession in the above-entitled jointly administered Chapter 11 case, on **Thursday, January 7, 2010, at 10:00 a.m. MST**, at the law offices of Ray Quinney & Nebeker P.C., 36 South State Street, Suite 1400, Salt Lake City, Utah 84111. The deposition will be taken orally before a duly authorized court reporter authorized to administer oaths, will be recorded by stenographic means, and will continue from day to day until completed.

Pursuant to and for the purposes permitted by Rule 30(b)(6) of the Federal Rules of Civil Procedure, Jacobsen will examine Easy Street on the following subjects and topics, and hereby advises Easy Street of its obligation to designate one or more officers, directors, managing agents, or other persons to testify on its behalf with respect to each subject:

1. Subject 1: All matters related to Wells Fargo Escrow Account, Sky Lodge Sales Proceeds Account, Account No. 7375, and/or Wells Fargo Escrow Account, Sky Lodge Deposit Account, Account No. 7367, and any and all replacement accounts owned, used or maintained by Easy Street, or under Easy Street’s control (collectively, the “**Escrow Accounts**”), including but not limited to the nature and purpose of the Escrow Accounts, the nature and source of all funds deposited into the Escrow Accounts, and all actual and contemplated disbursements from the Escrow Accounts.

2. Subject 2: All efforts by Easy Street, after January 1, 2009, to use or obtain authorization or permission to use funds on deposit in the Escrow Accounts to pay Jacobsen for amounts owed for work performed by Jacobsen for and on behalf of Easy Street.

3. Subject 3: All communications between Easy Street and West LB, AG (“West LB”) and/or their agents and representatives, regarding using funds on deposit in the Escrow Accounts to make payments to Jacobsen.

4. Subject 4: Any and all negotiations, agreements or understandings between Easy Street and West LB regarding using funds on deposit in the Escrow Accounts to make payments to Jacobsen.

5. Subject 5: The nature, extent and priority of any lien or security interest claimed by West LB with respect to the Escrow Accounts and funds on deposit therein, and all documents or agreements establishing or documenting the same.

6. Subject 6: All work performed by Jacobsen for Easy Street under that certain construction contract, AIA Document A121 CMc-2003 and AGC Document 565, by and between Jacobsen and Easy Street, dated March 20, 2006.

7. Subject 7: All amounts currently owed to Jacobsen as reflected in aforementioned construction contract and as documented in that certain Application and Certification for Payment, Contractor’s Application for Payment, Invoice #: 75015-23R, period to November 12, 2008, signed by Jacobsen and delivered to Easy Street, a copy of which is attached to the Proof of Claim Jacobsen has filed in the above-entitled case.

8. Subject 8: Any and all communications, representations or discussions between any title or escrow companies or agents and Easy Street regarding the disposition or intended disposition of funds received by Escrow from the sale of fractional ownership interests in the Sky Lodge project.

9. Subject 9: Any and all matters relating to that certain *Joint Motion to Approve Amendments to Stipulation Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and Granting Additional Adequate Protection to West LB, AG*, filed in the above-entitled Chapter 11 case on November 25, 2009, Doc. 172.

DATED this 22<sup>nd</sup> day of December, 2009.

**RAY QUINNEY & NEBEKER, P.C.**

/s/ Michael R. Johnson

---

Michael R. Johnson  
Jonathan A. Dibble  
*Attorneys for Jacobsen National Group, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 22<sup>nd</sup> day of December, 2009, a true and correct copy of the foregoing was served on the following parties by both first class U.S. mail and e-mail, addressed as follows:

Kenneth L. Cannon II  
Steven J. McCardell  
**DURHAM JONES & PINEGAR**  
111 East Broadway, Suite 900  
PO Box 4050  
Salt Lake City, UT 84110-4050  
Email: [kcannon@djplaw.com](mailto:kcannon@djplaw.com)  
[smccardell@djplaw.com](mailto:smccardell@djplaw.com)

Michael V. Blumenthal  
**CROWELL & MORING LLP**  
590 Madison Avenue, 20<sup>th</sup> Floor  
New York, NY 10022  
Email: [mblumenthal@crowell.com](mailto:mblumenthal@crowell.com)

Annette W. Jarvis  
Peggy Hunt  
Benjamin J. Kotter  
**DORSEY & WHITNEY LLP**  
136 South Main Street  
Suite 1000  
Salt Lake City, UT 84101-1655  
Email: [jarvis.annette@dorsey.com](mailto:jarvis.annette@dorsey.com)  
[hunt.peggy@dorsey.com](mailto:hunt.peggy@dorsey.com)  
[kotter.benjamin@dorsey.com](mailto:kotter.benjamin@dorsey.com)

Richard W. Havel  
**SIDLEY AUSTIN LLP**  
555 West Fifth Street, Suite 4000  
Los Angeles, CA 90013-1010  
Email: [rhavel@sidley.com](mailto:rhavel@sidley.com)

John T. Morgan  
**OFFICE OF THE UNITED STATES TRUSTEE**  
Ken Garff Bldg.  
405 South Main Street, Suite 300  
Salt Lake City, UT 84111  
Email: [john.t.morgan@usdoj.gov](mailto:john.t.morgan@usdoj.gov)

Jeffrey W. Shields  
Lon Jenkins  
**JONES WALDO HOLBROOK & McDONOUGH, PC**  
170 South Main Street, Suite 1500  
Salt Lake City, UT 84101  
Email: [jshields@joneswaldo.com](mailto:jshields@joneswaldo.com)  
[lajenkins@joneswaldo.com](mailto:lajenkins@joneswaldo.com)

/s/ Aya Gale

---